

USDC, WESTERN DISTRICT OF LA
ROBERT H. SHEMWEILL, CLERK

4,27.06

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE-OPELOUSAS DIVISION

[illegible]

ORDER

Hearing on the Motion for Summary Judgment filed herein on behalf of Defendant, Nabors Offshore Corporation, was held on Thursday, April 13, 2006 at 9:30 a.m. Present at the hearing were:

Thomas J. Smith, Esq., and Mark R. Pharr III, counsel for Defendant, Nabors Offshore Corporation; and

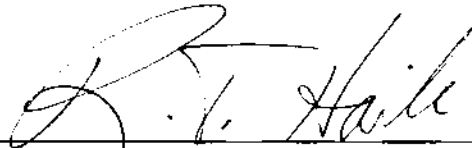
Jason Welborn, Esq., counsel for Plaintiff, Donald Soileau.

Considering the briefs and arguments of counsel, and after determination by the Court that there are no genuine issues of material fact and that the GENESIS SPAR is permanently moored and not a "vessel" within the intendment of the general maritime law or the Jones Act, the Motion for Summary Judgment filed herein on behalf of Defendant, Nabors Offshore Corporation, is hereby GRANTED in its entirety, and the Cross Motion for Summary Judgment and/or Alternatively, Brief in Opposition to Defendant's Motion for Summary Judgment, filed herein on behalf of Plaintiff, Donald Soileau, is denied.

It is FURTHER ORDERED that as a matter of law Plaintiff, Donald Soileau, does not qualify as a "seaman" within the meaning of 46 U.S.C.A. § 688 et seq. and general maritime law.

Accordingly, his claims against Defendant, Nabors Offshore Corporation, in this lawsuit are hereby DISMISSED with prejudice, each party to bear its own costs.

Signed this 27th day of April, 2006, Lafayette, Louisiana.



HONORABLE RICHARD T. HAIK
UNITED STATES DISTRICT COURT JUDGE